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Illinois Environmental Protection Agency • P. O. Box 19276, Springfield, IL 62794-9276

RE: CERRO COPPER

DATE July 27, 1990

TO: Jerry G. Ayers, ESQ.

FROM: Paul E. Takacs, FSPM

SUBJECT: Cerro Copper - St. Clair County
Sauget Sites (Areas I, II) - Budget
Superfund Rec. Officer - Confidential

On July 10, 1990, a judgment entered in U.S. District Court in St. Clair County, Illinois, governed the division of the removal actions at Cerro Copper in Sauget.

In Section XIV, Part C, it was agreed upon that Cerro Copper reimburse EPA for all post costs associated with Segment A (CS-A), of Dead Creek. The amount in \$1,100,000 was determined as the proportion of contractual costs associated with the "Expended Site Investigation of the Dead Creek Project Sites" (\$1,100,000 plus all personnel costs incurred through March 31, 1989). The bulk of this amount (\$60,591) represents the first successful attempt at cost recovery for the SI which had been funded through the Clean Illinois Bill at a cost of over \$1.2 million.

After the SI was completed, IEPA initiated a PRP search and began negotiating with the present PRP groups. It had been the main objective of these negotiations to produce two PRP-funded RI/FS studies for both areas referenced in the SI. Because of internal conflicts within these groups and the diversity of these sites, it is more likely that five separate RI/FS studies will be submitted.

In light of all the dollars that have been invested at these sites, I believe that it would be most prudent to allocate funds received from Cerro Copper to the future of these sites. With the PRP group of Area II submitting workplans for RI/FS studies of the former Sauget WTP sludge lagoons (Site O), and the former Sauget & Company landfill (Site Q), monies could be allocated for assistance in document reviews by an independent consultant.

It should be reiterated that these PRP groups are extremely knowledgeable, well funded and are no doubt aware of our financial situations. In order for IEPA to carry out an adequate review of at least two more RI/FS workplans, it will be necessary for this assistance if we are to be taken seriously. Consultants have assisted IEPA in the review of other workplans at the Sauget Sites, namely at the Monsanto landfill (Site R). A large measure of our success at this site has been attributed to this.

PT:jx/2e52n,58

cc: Bill Child
Jim Janssen
Roger Kanerva
Gary King